

Serial No. 10/052,801  
Reply to Office Action of April 1, 2005

### **REMARKS/ARGUMENTS**

This amendment is in response to the Office Action mailed on April 1, 2005. Claims 1-33 are pending in this application, and all claims have been rejected. Reconsideration and withdrawal of the rejection of claims 1-33 is respectfully requested in view of the above amendments and the remarks that follow below.

The specification has been checked, and amendments have been made to paragraphs [0032] and [0060]. No new matter is included in the amendments to the specification. Support for the amendment to paragraph [0032] is found, inter alia, by an inspection of FIG. 1, and support for the amendment to paragraph [0060] is found, inter alia, by an inspection of FIG. 4.

Claims 12, 17, and 21 stand objected to as containing informalities. Claims 12, 17, and 21 have each been amended in a manner in conformance with the Examiner's suggestions and all of the informalities are deemed to be fully addressed.

Claims 12 and 17 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Regarding claim 12, Applicants have made the suggested amendment to claim 14, as claim 12 does not contain the phrase "the error amplifier input", which is found, however, in claim 14. Claim 17 has been amended to remove any indefiniteness. The second phase and gain adjustment circuit is clearly "coupled" to the first monitoring coupler as is shown in FIG. 2. Claims 14 and 17, therefore, are deemed to be allowable under 35 USC 112, second paragraph.

Claims 9, 10, 20, 21, 31, and 33 have been amended to more properly conform the claimed subject matter to the drawings and specification. No new matter has been added to these claims. Support for the amendments to claims 9, 10, 20, 21, 31, and 33 is found, inter alia, in drawing FIG. 2 and in the corresponding specification text.

Serial No. 10/052,801  
Reply to Office Action of April 1, 2005

Claims 1 and 9-33 stand rejected under 35 USC 102(b) as being anticipated by Kim et al, US Patent No. 5,877,653. The rejection of claims 1 and 9-33, as amended, is respectfully traversed.

Claims 1 and 17 have each been amended to claim a "spurious ratio" control system. Claims 23, 31, and 33 already include a similar limitation to that now found in amended claims 1 and 17. No new matter has therefore been included in claims 1 and 17.

In contrast, Kim et al does not teach the use of a spurious ratio to control the amplifier as claimed. Instead, Kim et al teaches the use of a multiplexer to selectively measure the RSSI ("Received Signal Strength Indicator") of IMD ("InterModulation Distortion") signal levels from selective test points (See Col. 6, lines 37-41). Furthermore, Kim et al teaches that selected RSSI signal levels are measured individually and thereafter the controller performs analysis on the value of the selected RSSI signal levels and generates appropriate attenuation and phase control signals. (See Col. 6, lines 52-58). Once the level of the RSSI intermodulation signal has been measured, Kim et al teaches that the measured signal level should be compared with the previously measured level of the same signal (See Col. 17, line 10-14). Kim et al teaches that if RSSI levels for "IM1" to "IM4" are greater than that of the previous state values then appropriate attenuators and phase shifters are utilized to minimize the RSSI intermodulation signal (See Col. 21, line 34-40).

The present invention as claimed performs an instantaneous "spurious ratio" measurement between different monitoring points within a feed-forward amplifier while addressing dynamic range issues inherent with direct RSSI intermodulation signal measurement that is not taught in Kim et al.

It is deemed, therefore, that claims 1, 17, 23, 31, and 33 distinguish over the reference to Kim et al, and are allowable under 35 USC 102(b). The remaining

Serial No. 10/052,801  
Reply to Office Action of April 1, 2005

claims are deemed to be allowable as being dependent from an allowable base claim, for the reasons given above.

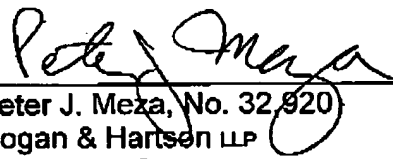
Claims 2-8 stand rejected under 35 USC 103(a) as being unpatentable over Kim et al and further in view of admitted prior art. The rejection of claims 2-8 is respectfully traversed. Claims 2-8 are deemed to be allowable as being dependent upon allowable base claim 1, as amended, for the reasons given above.

In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

5/5, 2005

  
Peter J. Meza, No. 32,920  
Hogan & Hartson LLP  
One Tabor Center  
1200 17th Street, Suite 1500  
Denver, Colorado 80202  
(719) 448-5906 Tel  
(303) 899-7333 Fax